

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-11487
Date Received: 8/12/1993
Receipt No: E013334
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM H DUBBE 208-237-0665
Address: PO BOX 4465
POCATELLO ID 83205

2. Date of Priority: JUN 1, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	34E	27	SE	SE	NW		BANNOCK

5. Description of diverting works:
8" CASING, 80' DEEP, 1 HP SUB PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	09/30	0.060		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 8 COWS, 82 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	34E	27	SE	NW		IRR	2.0
			SE	NW		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	34E	27	SE NW		DOMEST	
Section Acres						2.0
Total Acres						2.0

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
FORT HALL IRRIGATION

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A29-11487

Date Received 4-19-90

Receipt Number EO13334

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) W^M H. DUBBE Phone (208)-237-0665

Mailing Address P.O. Box 4465 Pocatello IDAHO Zip 83205

2. Date of Priority (Only one (1) per claim) 6/1/62

3. Source of water supply (a) WELL Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 5-S Range 34E Section 27,
SE 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of BANNACK

Additional points of diversion if any: NONE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

1-8" WELL 80' DEEP +
FT HALL IRRIGATION WATER & DITCH ACROSS
FRONT OF PROPERTY + 1-HP SUBMERSIBLE PUMP

MICROFILMED

APR 14 1994

A2911487



6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from 11/1 to 12/31 amount .04 or _____

For IRRIGATION purposes from 5/1 to 9/30 amount .06 or 2 ACRES

For Stockwater purposes from 1/1 to 12/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .12 ~~210,000 GALLONS~~ (cfs) and/or (b) PER SUMMER IRRIGATION (acre feet)

8. Total consumptive use claimed is 5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC LAWN & GARDEN 1 HOUSEHOLD & UP TO 3 COWS & 2 HORSES

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>55</u>	<u>34E</u>	<u>27</u>								<u>2</u>									<u>2</u>

Total number of acres irrigated 2

11. In which county (ies) are lands listed above as place of use located? BAYNBRICK

12. Do you own the property listed above as place of use? Yes YES No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

Fort Hall, Irr. water

or None (✓)

14. Remarks: Actual Irr. Ac 1.75 Ac

MICROFILMED

Last Name DUBBE Ident No. 39576

Copies: White - State, Yellow - Claimant
APR 14 1944

Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☒ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *W. H. Durbbe* Date 4/6/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Id)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 6 day of April 19 90

SEAL

Notary Public *John Dale Carter*

Residing at *Boise Id*

My Commission Expires 5/2/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

APR 14 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 2, 2001

William H. Dubbe
P.O. Box 4465
Pocatello, Idaho 83205

Re: Adjudication Claim 29-11487

Dear Water User:

Attached is a copy of an Adjudication Claim for a water right near American Falls or Pocatello, Idaho. This claim is based upon "beneficial use." This means that the underlying water right was perfected by the original user simply developing a diversion and using the right. This was completely legal and appropriate up until March 25, 1963, for ground water uses, or up until May 20, 1971 for surface water uses. However, this method of perfecting a water right did not result in a paper record of the water right with the department.

In order to recommend your adjudication claim to the court, I need you to supply "evidence of priority" and "evidence of beneficial use." The enclosed pamphlet describes some typical sources that may be used. If an affidavit is used, it must clearly show that the person making the affidavit personally observed the water use. The more detail the affidavit gives, indicating dates, circumstances, amounts and details of water use, the better. As I review the documentation provided, my standard will be:

The documentation should tend to indicate that diversion works were in place and had adequate capacity for the claimed use. The documentation should also tend to indicate that water was applied to the claimed beneficial use on the claimed place of use.

Please review these documents, and provide documentation of the historical use of this right. Feel free to call me if you have questions. You should be able to reach me Thursday or Friday mornings.

Sincerely,


Bryce A. Contor
Senior Water Resource Agent

Log for claim A29-11487

Spatial Dynamics BTD

9/26/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05s34e	27	SENW	2	35	Indiscernible
Totals:			2	35	

AJ5809NP
No. A29-11487

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
PAGE: 172

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM H DUBBE PO BOX 4465 POCATELLO ID 83205 (208) 237-0665	06/01/1962	IRRIGATION STOCKWATER DOMESTIC	05-01 09-30 01-01 12-31 01-01 12-31	0.060 CFS 0.020 CFS 0.040 CFS	
TOTAL DIVERSION:					0.120 CFS	
CONSUMPTIVE USE:						5.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R34E S27 SESENW

BANNOCK County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
05S	34E	27	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	2.0
TOTAL ACRES																			2.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
05S	34E	27	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
05S	34E	27	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	

POU County: BANNOCK

Non-Irrigation Uses: DOMESTIC, 1 HOME; STOCKWATER, 8 COWS, 82 HORSES

Other Rights: FORT HALL IRRIGATION

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-10734 29-11515 29-11707 29-11972 29-12184 A29-04275 A29-10734 A29-11515 A29-11707 A29-11972
A29-12184

Other Water Rights Listing Overlapping Place(s) of Use:

A29-04275

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A29-11487

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/24/00
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Audit: 08/12/93 THOMPSON 03/29/95 POST-STD